

Filed for intro on 02/15/95
Senate Bill _____
By _____

House No. HB1213
By Jackson

AN ACT to amend Tennessee Code Annotated, Titles 56; 68, and 71, relative to certain medical coverage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 25, is amended by adding the following new section:

Section 56-7-2504.

(a) Any individual, franchise, blanket or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, or health maintenance organization which provides coverage for surgical services for cancer, and which is delivered, issued for delivery, amended or renewed on or after July 1, 1995, shall also provide coverage for high dose chemotherapy for breast cancer, multiple myeloma, or ovarian cancer, if such treatment is deemed appropriate by the patient's physician. It is the finding of the general assembly that such treatment, in appropriate cases, is not experimental but represents the medical consensus among Tennessee-based cancer treatment experts.

(b) Any increase in expenditure requirements on a municipality or a county resulting from the provisions of this section shall be appropriated from funds that such municipality or county receives from the state-shared taxes that are not earmarked by statute for a particular purpose.

(c)

(1) The provisions of this section do not apply to medicare supplemental policies unless cancer treatment is covered under medicare. This section shall not apply to policies which provide only hospital indemnity benefits or to policies which provide only benefits for specified accidents. Insurance policies which provide benefits only for specified diseases, and which cover cancer treatment shall be subject to the requirements of this section, unless the owner of such policy has other insurance which provides high dose chemotherapy coverage as guaranteed by this section.

(2) The issuer of the specified disease policy has the burden of proving that the insured has other insurance which covers high dose chemotherapy to the extent guaranteed by this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.